REMARKS/ARGUMENTS

Claims 1-15 are pending in the present application. Claims 1-15 have been rejected. Claims 1, 3, 6, 8, 9, 11, and 13 have been amended. Claims 2, 7, and 12 have been cancelled and their features have been incorporated into the independent claims. It is respectfully submitted that claims 1, 3-6, 8-11, and 13-15 are allowable over the art of record for the reasons set forth below.

Claims 1-3, 6, 7, and 11-13 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Nelson et al. (U.S. Patent No. 6,347,027). As noted above, claims 2, 7, and 12 have been canceled, thereby obviating the rejections of these claims. Claims 1, 6, and 11 include features that are neither disclosed nor suggested by Nelson, namely, as represented by claim 1:

> "A method for controlling a recloser for an electrical power line, comprising:
> determining a present condition of at least one feature;
> determining a behavior function for the recloser based on the present condition;
> continuously monitoring the present condition at user programmable events;
> changing the behavior function responsive to the monitoring; and
> controlling the recloser as a sectionalizer when the behavior function is a sectionalizer function, and otherwise controlling the recloser as a recloser." (emphasis added).

The present invention, as embodied in claim 1, is directed to controlling a recloser as a sectionalizer or a recloser, based on a behavior function. The present condition of at least one feature is continuously monitored, at user programmable events, and the behavior function (which dictates how the recloser is to behave) is changed responsive to the continuous monitoring. The written description of the present application states that:

> [T]he appropriate recloser behavior is determined based on the prevailing conditions. The appropriate recloser behavior is then implemented .... The present or prevailing conditions are *continuously monitored* ... to determine if the recloser behavior should be changed. The prevailing conditions are monitored *at predetermined intervals* (of time, for example) *or at other events, which can be programmed by a technician or customer.*
> (emphasis added) (application, as originally filed, page 7 line 28, to page 8 lines 2-6).

Nelson does not teach or suggest continuously monitoring a present condition at user programmable events, and changing a behavior function in response thereto, as required by claim 1. The Office Action states that "Nelson et al. discloses the method continuously monitoring the present condition and changing the behavior responsive to the monitoring" (Office Action, page 3), and cites a passage from Nelson et al. at column 6, lines 60-63. This passage, starting at line 59, states that:

> AC waveform processor 212 is connected through field interface connector 214 to distribution line 202. This allows the processor to measure various critical parameters of the electricity on the distribution line, such as voltage and current, digitally convert them, and send them to the control computer for processing, communications, or storage in memory.

Nelson merely describes measuring various parameters and subsequently processing them. However, there is no teaching or suggestion of continuously monitoring a parameter or condition at user programmable events, and changing a behavior function in response thereto.

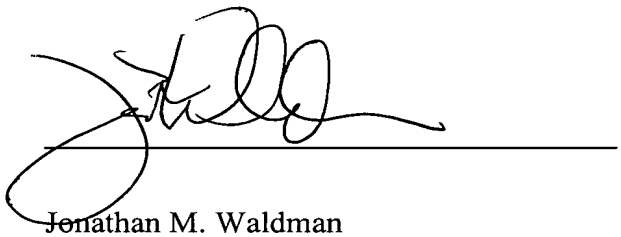
Claims 6 and 11 recite similar features as those set forth above with respect to claim 1. Based on the foregoing, claims 1, 6, and 11 and all claims dependent therefrom, including claims 3 and 13, should not be rejected as being anticipated by Nelson et al. Therefore, withdrawal of the rejections of claims 1, 3, 6, 11 and 13 under 35 U.S.C. § 102(e) is respectfully requested.

Claims 4, 5, 9, 10, 14, and 15 have been rejected under 35 U.S.C. § 103(a) as unpatentable over Yaniello (U.S. Patent No. 6,407,897) in view of Nelson et al. As described above, Nelson does not disclose or suggest "continuously monitoring the present condition at user programmable events; and changing the behavior function responsive to the monitoring." Yaniello fails to cure the deficiencies of Nelson. Yaniello describes a network protector having diagnostics to alert a utility of problems with various components and/or abnormal operating conditions. However, Yaniello does not teach continuous monitoring of a condition at user programmable events, and changing a behavior function in response thereto. Nowhere does Yaniello refer to such continuous monitoring nor the ability of a user to dictate (by programming, for example) at which events a condition is to be monitored.

Based on the foregoing, claims 4, 5, 9, 10, 14, and 15 should not be rejected over Yaniello in view of Nelson. Therefore, withdrawal of the rejections of claims 4, 5, 9, 10, 14, and 15 under 35 U.S.C. § 103(a) is respectfully requested.

In view of the foregoing amendments and remarks, Applicants submit that the above-identified application is in condition for allowance. Early notification to this effect is respectfully requested.

Date: August 4, 2003



Jonathan M. Waldman
Registration No. 40,861

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439